

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Social Welfare Department – Mahabubnagar District – Atmakurl Village and Mandal - Acquisition of land for an extent of Ac.5.25 Cents in Sy.No.442 for provision of house sites to the weaker section people – Payment of Rs.6,99,488/- towards decretal charges in A.S.No.1095/94 against OP.No.64/89 – Permission accorded - Orders Issued.

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SOCIAL WELFARE (LA) DEPARTMENT

G.O.Rt.No.706

Dated:-15.10.2008
Read the following:-

1. From the District Collector, Mahabubnagar, No.LA3/165/94, dated.30.03.2005.
2. From the Commissioner of Social Welfare, A.P., Hyderabad, Lr.Rc.No.LA2/4580/2005, dt.27.05.2005.

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ORDER:-

The Commissioner of Social Welfare, A.P., Hyderabad, in his letter 2nd read above, while forwarding the proposals of the District Collector, Mahabubnagar, in his letter 1st read above, has requested the Government to release of an amount of Rs.6,99,488/-(Rupees six lakhs ninety nine thousand four hundred and eighty eight only) towards decretal charges in AS No.1095/94 against OP No.64/89.

2. The Land Acquisition Officer, Atmakur, has acquired the land for an extent of Ac.5.25 cents in Sy.No.442 situated at Atmakur(V)&(M) at Mahabubnagar district, for providing house sites to weaker section people. The LAO fixed the market value as Rs.4,500/- per acre vide his Award Proceedings.No.C/514/85, Dated:31.03.1986. Under section 18 of the LA Act, the Lower Court enhanced the compensation from Rs.4,500/- per acre to Rs.30/- per square yard in its judgment dt.28.04.1994 in OP No.64/89. Challenging the judgment of the Sub-court, the LAO filed an appeal before the Hon'ble High Court. The Hon'ble High Court has issued interim orders on 25.08.1994 in CMP No.12267/94 in OP No. 64/89 to deposit half of the decretal amount within (8) weeks from the date of judgment. The Hon'ble High Court in its judgment dated:25.10.2002 in AS No.1095/94 against OP NO.64/89 while allowing the appeal partly reduced the compensation from Rs.30/- square yard to Rs.20/- per square yard while allowing all statutory benefits including interest on solatium.

3. The GP for Appeals, High Court of AP, Hyderabad, has opined that it is difficult to expect further reduction by filing appeal to the Hon'ble Supreme Court. The LAO, has filed SLP in the Hon'ble Supreme Court and the same was dismissed on 25.10.2004 in SLP No.9515/04.

4. Government, after careful examination of the above proposal, and in consultation with Law and Finance Departments, hereby accord sanction for an amount of **Rs.6,99,488/- (Rupees six lakhs ninety nine thousand four hundred and eighty eight only)** towards decretal charges in AS No.1095/94 against OP No.64/89.

5. The expenditure sanctioned in para (4) above shall be debited to "2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan - SH(08) Acquisition of House sites to weaker sections in Rural Areas under Indiramma Programme - 310/312 – other Grant-in-aid" from the available provision during Budget Estimates 2008-09.

6. The Commissioner of Social Welfare, A.P., Hyderabad, is requested to issue necessary proceedings to the District Collector, Mahabubnagar, to comply with the Court orders.

7. The District Collector, Mahabubnagar, shall verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount, if any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

8. The District Collector, Mahabubnagar, is also requested to initiate disciplinary action against the concerned Land Acquisition Officer and other responsible persons for the delay of more than two (2) years for case referring to the Lower Court and another delay of the one (1) year filing appeal to the Hon'ble Supreme Court of India.

//2//

9. This order issued with the concurrence of Finance (Exp.SW) Department vide their U.O. No. 21766/349/A1/Exp.SW/08, Dated:09.09.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Social Welfare, A.P., Hyderabad.
The District Collector, Mahabubnagar.
The Director of Treasuries & Accounts, A.P. Hyderabad.
The Pay & Accounts Officer, Hyderabad.
The Accountant General, A.P., Hyderabad
The Dist. Treasury Officer, Mahabubnagar.
Copy to:
Finance (Exp.SW/BG) Department.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER